IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

&
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 9304 of 2005

Between:

R. Ajay Kumar S/o. R.C. Nair
R/o. 30/1321, Vinayak Nagar, Meerpet, Hyderabad.

..... PETITIONER

AND

1 The Station House Officer, Pullikuza P.S. tirvalla, Kerala.
2 The Superintendent of Police, Pathamthitta District, Kerala.
3 Anas Naval Mammen D/o. Late K.C. Mammen
R/o. Valliyadathu House, Chathenkery (Via). Amithakary (Post)
Thiruvalla, Pathanamthitta District, Kerala.
4 Amukutty Mammen W/o. Late K.C. Mammen
R/o. Valliyadathu House, Chathenkery (Via). Amithakary (Post)
Thiruvalla, Pathanamthitta District, Kerala.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate order/s i.e, writ, order, or direction; more particularly, one in the nature of writ of Habeus Corpus, directing the Respondents No. 1, 2 and 4 herein to produce the wife of writ Petitioner herein i.e, Respondent No.3 namely, Anas Naval Mammen D/o. Late K.C.Mammen before this Hon'ble Court and also direct the

respondents No. 1 and 2 herein to register the Criminal Case against the respondent No.4 herein, who has committed an offence.

Counsel for the Petitioner:MR P.V.SANJEEVA RAO

Counsel for the Respondents 1 & 2: THE ADVOCATE GENERAL

Counsel for the Respondents 3 & 4:…….

The Court at the stage of admission made the following :

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ORDER: (Per Hon'ble Sri Justice B. Sudershan Reddy)

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Heard the learned Counsel for the petitioner as well as the learned Advocate-General. At their request, the writ petition itself is taken up for final disposal at the stage of admission.

Rule Nisi.

It is purely and simply a matrimonial dispute between the petitioner and the 3rd respondent which sought to be converted into this writ of Habeas Corpus. The petitioner himself filed copies of legal notices, exchanged between the petitioner and the 3rd respondent, which reveal the nature of dispute. We are not satisfied with the half-hearted attempt made by the petitioner alleging, as if, the 3rd respondent is under illegal detention of the 4th respondent. The averments made in the affidavit do not inspire any confidence.

For the present, we find no merit in this writ petition and the same shall accordingly stand dismissed.

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B. SUDERSHAN REDDY, J

Date: 25-04-2005

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C.V. RAMULU, J

NN/PV

Copies to:

1. The Station House Officer, Pullikuza Police Station, Tirvalla Kerala.
2. The Superintendent of Police, Pathamahitta District, Kerala
3. Two C.Cs to the Advocate-General, High Court Buildings, High Court of A.P. (O.U.T.)
4. Two C.D. copies.